

ESTTA Tracking number: **ESTTA426261**

Filing date: **08/22/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Chamilia, LLC
Granted to Date of previous extension	08/24/2011
Address	530 North 3rd Street Suite 400 Minneapolis, MN 55401 UNITED STATES
Attorney information	CHARLES P BACALL VERRILL DANA LLP ONE PORTLAND SQUARE, P O BOX 586 PORTLAND, ME 04112-0586 UNITED STATES cbacall@verrilldana.com Phone:207-774-4000

Applicant Information

Application No	85177418	Publication date	04/26/2011
Opposition Filing Date	08/22/2011	Opposition Period Ends	08/24/2011
Applicant	Mira Zivkovich, Inc. Suite 4R 51 West 14 Street, New York City, NY 10011 UNITED STATES		

Goods/Services Affected by Opposition

Class 009. All goods and services in the class are opposed, namely: protective carrying cases and covers specially adapted for carrying and holding cell phones, laptops, personal electronic devices, electronic game software and compact discs, portable media players, and accessories therefor
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Applicant Information

Application No	85177415	Publication date	04/26/2011
Opposition Filing Date	08/22/2011	Opposition Period Ends	
Applicant	Mira Zivkovich, Inc. Suite 4R 51 West 14 Street, New York City, NY 10011 UNITED STATES		

Goods/Services Affected by Opposition

Class 009.

All goods and services in the class are opposed, namely: protective carrying cases and covers specially adapted for carrying and holding cell phones, laptops, personal electronic devices, electronic game software and compact discs, portable media players, and accessories therefor
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Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	3819317	Application Date	02/26/2009
Registration Date	07/13/2010	Foreign Priority Date	NONE
Word Mark	YOUR LIFE. YOUR STYLE.		
Design Mark	YOUR LIFE. YOUR STYLE.		
Description of Mark	NONE		
Goods/Services	Class 014. First use: First Use: 2009/07/26 First Use In Commerce: 2009/07/26 Jewelry; beads for use in the manufacture of jewelry		

Attachments	77679348#TMSN.jpeg (1 page)(bytes) Your Life Your Style.pdf (4 pages)(83573 bytes) POPNGO YL YS.pdf (4 pages)(85647 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/charles p. bacall/
Name	CHARLES P BACALL
Date	08/22/2011

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Applicant:	Mira Zivkovich, Inc.)
	d/b/a MZI Global)
)
Serial No.:	85/177,418)
)
Filing Date:	November 16, 2010)
)
Mark:	YOUR LIFE...)
	YOUR STYLE)
)
Published:	April 26, 2011)
)

Chamilia, LLC, Opposer

v.

Mira Zivkovich, Inc., d/b/a MZI Global, Applicant

Opposition No. _____

NOTICE OF OPPOSITION

Opposer: Chamilia, LLC
a Delaware limited liability company
530 North 3rd Street, Suite 400
Minneapolis, MN 55401

The above-identified Opposer believes that it will be damaged by registration of the mark shown in the above-identified application, and hereby opposes the same.

The grounds for the opposition are as follows:

1. This is an opposition by Chamilia, LLC ("Chamilia"), a jewelry company based in Minneapolis, Minnesota, to stop an attempt by Mira Zivkovich, Inc. (d/b/a MZI Global) ("Applicant") to register the trademark YOUR LIFE... YOUR STYLE, which is confusingly

similar to Chamilia's common law and federally registered YOUR LIFE. YOUR STYLE. trademark.

2. Chamilia has been using the YOUR LIFE. YOUR STYLE. mark in connection with its products since at least 2009.

3. Chamilia has spent significant time and money promoting YOUR LIFE. YOUR STYLE. to customers nationwide and worldwide. Customers have come to know YOUR LIFE. YOUR STYLE. as a symbol of Chamilia's products.

4. Chamilia owns United States Trademark Registration number 3,819,317, dated July 13, 2010, for the mark YOUR LIFE. YOUR STYLE., for "Jewelry; beads for use in the manufacture of jewelry" in International Class 014. A true and accurate copy of Chamilia's YOUR LIFE. YOUR STYLE. registration is attached as Exhibit 1.

5. On or about November 16, 2010, Applicant filed the instant application to register the trademark YOUR LIFE...YOUR STYLE on an intent-to-use basis. The application requests registration for the following goods: "protective carrying cases and covers specially adapted for carrying and holding cell phones, laptops, personal electronic devices, electronic game software and compact discs, portable media players, and accessories therefor" in International Class 009.

6. The goods covered by the Application are so similar to the goods offered by Chamilia and covered by Chamilia's registration as to be likely to cause confusion, deception and mistake about whether any such goods are manufactured or licensed by Chamilia or otherwise affiliated with Chamilia.

7. Chamilia's rights in the YOUR LIFE. YOUR STYLE. mark predate the Applicant's rights (if any) in the YOUR LIFE...YOUR STYLE mark.

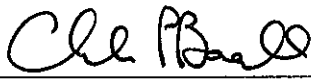
8. Applicant's registration and/or use of YOUR LIFE...YOUR STYLE will dilute and otherwise interfere with Chamilia's use of its YOUR LIFE. YOUR STYLE. trademark and will harm Chamilia.

The filing fee of \$300.00 for this Notice of Opposition is filed herewith.

Respectfully submitted,

VERRILL DANA, LLP

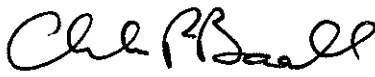
Dated: August 22, 2011

By: 
Charles P. Bacall
Adrianne E. Fouts
Attorneys for Opposer
One Portland Square
P.O. Box 586
Portland, ME 04112-0586
(207) 774-4000

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Notice of Opposition has been served on Applicant on August 22, 2011 by mailing the true and complete copy via First Class Mail, postage prepaid, to:

Mira Zivkovich, Inc.
d/b/a MZI Global
51 West 14 Street
Suite 4R
New York City, NY 10011


Charles P. Bacall
Attorney for Opposer

United States of America

United States Patent and Trademark Office

YOUR LIFE. YOUR STYLE.

Reg. No. 3,819,317

Registered July 13, 2010

Int. Cl.: 14

TRADEMARK

PRINCIPAL REGISTER

CHAMILLA, INC. (MINNESOTA CORPORATION)
530 NORTH 3RD STREET
SUITE 400
MINNEAPOLIS, MN 55401

FOR: JEWELRY; BEADS FOR USE IN THE MANUFACTURE OF JEWELRY, IN CLASS 14
(U.S. CLS. 2, 27, 28 AND 50).

FIRST USE 7-26-2009; IN COMMERCE 7-26-2009.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 77-679,348, FILED 2-26-2009.

LAKEISHA LEWIS, EXAMINING ATTORNEY



David J. Kybas

Director of the United States Patent and Trademark Office

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BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Applicant:	Mira Zivkovich, Inc.)
	d/b/a MZI Global)
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Serial No.:	85/177,415)
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Filing Date:	November 16, 2010)
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Mark:	POPNGO YOUR LIFE...)
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which is confusingly similar to Chamilia's common law and federally registered YOUR LIFE. YOUR STYLE. trademark.

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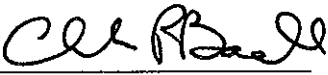
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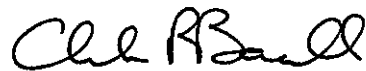
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Charles P. Bacall
Attorney for Opposer

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David J. Kypas

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